

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

KENNETH CARMEN and ALLISON :
CARMEN, h/w :
: Plaintiffs, : Civil Action No.
: : 05-4579 (NLH)
v. :
: CITY OF PLEASANTVILLE, ET AL., : **ORDER**
: Defendants. :

APPEARANCES:

Stuart J. Alterman, Esq.
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Attorney for Plaintiffs

A. Michael Barker, Esq.
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Linwood, NJ 08221
Attorney for defendants City of Pleasantville, Richard Gray,
Ralph Peterson, Russell Whaley, Frank Balles, Scott Seliga, Henry
Frank, and Duane Comeaux

HILLMAN, District Judge

____ In accordance with the Opinion filed on this date, it is
hereby ORDERED this 11th day of June, 2007, that defendants'
motion to dismiss plaintiffs' complaint for failure to effectuate
proper service [13] is GRANTED IN PART AND DENIED IN PART. It is
GRANTED with respect to defendants Richard Gray, Russell Whaley
and Henry Frank, and plaintiffs' complaint against them is

DISMISSED. It is DENIED AS MOOT as to defendants Frank Balles and Scott Seglia.

It is FURTHER ORDERED that plaintiffs' request for default judgment against Richard Gray, Russell Whaley and Henry Frank [26] is DENIED.

s/Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.

At Camden, New Jersey